

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Revisit  
Net Energy Metering Tariffs Pursuant to  
Decision 16-01-044, and to Address  
Other Issues Related to Net Energy  
Metering.

Rulemaking 20-08-020

**ORDER EXTENDING STATUTORY DEADLINE****Summary**

This decision extends the statutory deadline in this proceeding until December 27, 2023.

**1. Background and Justification**

The Commission initiated Rulemaking 20-08-020 on August 27, 2020 to develop a successor tariff to the net energy metering tariff pursuant to the requirements of Assembly Bill 327 (2013, Perea). Pursuant to Public Utilities Code Section 1701.5(b), the November 19, 2020 Joint Assigned Commissioner's Scoping Memo and Administrative Law Judge Ruling Directing Comments on Proposed Guiding Principles noted the complexity of the issues to be resolved in this proceeding and established a statutory deadline of 24 months, *i.e.*, August 27, 2022, for the proceeding to be completed. This deadline was subsequently extended to August 27, 2023 by an August 26, 2022 Order Extending Statutory Deadline. An Assigned Commissioner's Amended Scoping

Memo and Statutory Deadline Extension, issued on March 22, 2023, added a new issue to the scope of the proceeding and extended the statutory deadline to November 27, 2023.

On August 2, 2023, the Administrative Law Judge issued a proposed decision, Decision Addressing Remaining Proceeding Issues. Party comments were filed on August 22, 2023 and reply comments were filed on August 28, 2023.

Public Utilities Code Section 1701.5(a) allows an order extending the deadline of a ratesetting or quasi-legislative proceeding when the Commission makes a written determination that the deadline cannot be met and includes findings as to the reason. The current statutory deadline of November 27, 2023 does not allow time for the Commission to consider the numerous public comments, reply comments, and the proposed decision. Hence, Rulemaking 20-08-020 cannot be completed by November 27, 2023. Accordingly, it is necessary to extend the deadline by 30 days to allow adequate time to consider party comments and the proposed decision.

## **2. Waiver of Comment Period**

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the deadline for resolving ratesetting proceedings pursuant to Pub. Util. Code § 1701.5. Under the circumstances of this proceeding, it is appropriate to waive the 30-day period for public review and comment.

## **3. Assignment of Proceeding**

Alice Reynolds is the assigned Commissioner and Kelly A. Hymes is the assigned Administrative Law Judge and the presiding officer in this proceeding.

**Findings of Fact**

1. The current statutory deadline for resolving Rulemaking 20-08-020 is November 27, 2023.
2. Rulemaking 20-08-020 cannot be completed by November 27, 2023.
3. An extension of the statutory deadline until December 27, 2023 is necessary to allow adequate time to complete this proceeding.

**Conclusion of Law**

Pursuant to the authority granted to the Commission Pub. Util. Code § 1701.5(a), the statutory deadline should be extended to December 27, 2023.

**IT IS ORDERED** that the statutory deadline for completion of this proceeding is extended until December 27, 2023.

This order is effective today.

Dated \_\_\_\_\_, at, El Centro California.